

MULTIMEDIA



UNIVERSITY

STUDENT ID NO

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MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2019/2020

PLG0012 – GENERAL PRINCIPLES OF LAW

(All sections / Groups)

19 OCTOBER 2019

2.30 p.m – 4.30 p.m

(2 Hours)

INSTRUCTIONS TO STUDENTS

1. This Question paper consists of 2 pages with 4 Questions only .
2. Answer **ALL** questions from **Part A** and **TWO (2)** questions from **Part B**.
3. Please write all your answers in the Answer Booklet provided.

PART A: COMPULSORY [40 MARKS]**QUESTION 1 [40 marks]**

- a. Ron has taken a court proceeding against Fred in X Court claiming for the arrears of rent, which amounting to RM 200,800.

Identify X Court and explain on the jurisdictions of this court.

(10 marks)

- b. Cersei sent a Telegram message to her best friend, Khaleesi on 11 July 2019 offering to sell her 'Huawei P30' for RM 7,000. Khaleesi was interested to buy Cersei's handphone and on the same day, she sent a Telegram message to Cersei stating that she would like to buy the handphone for RM 7,000. However, due to Khaleesi's location and very poor internet coverage, her message was not successfully sent to Cersei. She did not realise about the unsent message. Meanwhile, Cersei not having heard from Khaleesi, sent a Telegram message to Khaleesi on 12 July 2019, withdrawing her offer and later sold her handphone to Jamie on 13 July 2019.

After Khaleesi received Cersei's message to withdraw the offer, she got furious. Khaleesi wants to sue Cersei for breach of contract. Advise Khaleesi.

(15 marks)

- c. Dala is a 70 year old widow who inherited her late husband's estate and a few million ringgit. Yoda, has been staying with her and has been taking care of her since his father passed away. Dala became very dependant on Yoda to take care of her. Yoda has been in debt with a few loansharks and decided to sell his counterfeit Rolex watch to his aged mother, Dala. Yoda did not disclose to Dala that the watch was a counterfeit. Instead, he told Dala that the watch is an authentic Rolex watch. One day, Dala's relative, Darth came to visit. Darth happened to be a watch and jewellery expert. Darth told Dala that the watch was a counterfeit. Dala was in disbelief.

Based on the principles of Contract Law, advise Dala.

(15 marks)

[Total: 40 marks]

Continued...

PART B: ANSWER TWO (2) QUESTIONS ONLY [60 MARKS]**QUESTION 2 [30 MARKS]**

“Negligence means more than heedless or careless conduct... it properly connotes the complex concept of duty, breach and damage thereby suffered by the person to whom the duty was owing.”

Based on the above excerpt discuss and support your answer with relevant authorities.

(30 marks)

QUESTION 3 [30 MARKS]

Trespass is a direct and intentional interference with the person or property of another and is actionable per se.

Discuss the law of trespass and support your answers with relevant authorities.

(30 marks)

QUESTION 4 [30 MARKS]

- a. “Where any person suffers damage as the result partly of his own fault and partly of the fault of any other person suffering the damage, but the damages recoverable in respect thereof shall be reduced to such extent as the Court thinks just and equitable having regard to the claimant’s share in the responsibility for the damage.”

(Civil Law Act 1956)

Discuss this provision in support with relevant authorities.

(10 marks)

- b. If the ‘dangerous’ thing escapes, and damage was foreseeable, the owner will be liable for all the consequences, even if he took all due care, and was not negligent.

Discuss this statement in support with relevant authorities.

(20 marks)

**[Total: 30 marks]
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